

Message Text

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PAGE 01 STATE 020491
ORIGIN ARA-14

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DRAFTED BY ARA-LA/PAN:RCAMAU:KKB
APPROVED BY S/AB:AMBASSADOR POPPER
H:AMOSS (DRAFT)
L:TFORTUNE (DRAFT)
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-----016980 260114Z /73

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FM SECSTATE WASHDC
TO AMEMBASSY PANAMA PRIORITY

C O N F I D E N T I A L STATE 020491

STADIS////////////////////////////////////

E.O. 11652:GDS

TAGS:PEPR, PN

SUBJECT:IMPLEMENTING LEGISLATION: AMBASSADOR'S AUTHORITY

1. SECTION 102(1) OF THE CURRENT DRAFT OF IMPLEMENTING
LEGISLATION PROVIDES THAT THE U.S. AMBASSADOR TO PANAMA "BE
KEPT FULLY AND CURRENTLY INFORMED--BY THE SENIOR REPRESENTATIVES
IN THE REPUBLIC OF PANAMA OF EVERY (U.S.G.) DEPARTMENT OR AGENCY,
OF ALL ACTIVITIES, OPERATIONS, AND POLICY PROPOSALS RELATING TO
THE IMPLEMENTATION OF THE PANAMA CANAL TREATY OF 1977 AND RELATED
AGREEMENTS--."

2. DURING RECENT REVIEWS OF IMPLEMENTING LEGISLATION DRAFT,
DOD REPRESENTATIVES HAVE REQUESTED THAT U.S. ARMED FORCES
COMMANDER IN PANAMA BE EXEMPTED FROM PROVISIONS OF
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SECTION 102(1). DOD STATES THAT THIS AUTHORITY IS CONTRARY TO
CURRENT PRACTICE ABROAD AS DEFINED IN 22 USC 2680A EXEMPTING
THE UNITED STATES AREA MILITARY COMMAND FROM THE PREROGATIVES
OF THE U.S. AMBASSADOR IN A FOREIGN COUNTRY TO BE KEPT FULLY
AND CURRENTLY INFORMED WITH RESPECT TO U.S.G. OPERATIONS IN
THAT COUNTRY. DOD BELIEVES THAT CURRENT COORDINATION
MECHANISMS BETWEEN AMBASSADOR AND

SOUTHCOM ARE ADEQUATE TO SATISFY FORMER'S DIPLOMATIC FUNCTIONS.

3. DEPARTMENT REPRESENTATIVES HAVE REFLECTED YOUR VIEWS SUBMITTED EARLIER BY TELEGRAM.

4. DEPARTMENT IS CONSIDERING MERITS OF DEFINING AND DIFFERENTIATING BETWEEN:

A. MILITARY MATTERS RESPECTING TREATY IMPLEMENTATION OF WHICH THE AMBASSADOR SHOULD BE KEPT FULLY AND CURRENTLY INFORMED; AND

B. MATTERS SOLELY AFFECTING STANDING FORCES REQUIREMENTS OUTSIDE THE SCOPE OF OR PERIPHERAL TO TREATY IMPLEMENTATION.

5. WE WOULD LIKE YOUR VIEWS EVALUATING THE APPROACH SUGGESTED IN PARAGRAPH 4, SUPRA. ALSO, WE WOULD LIKE YOUR RECOMMENDATIONS ON HOW RESPONSIBILITIES BETWEEN AMBASSADOR AND U.S. AREA MILITARY COMMANDER RESPECTING SUBMISSION OF POLICY PROPOSALS MAY BE DELINEATED AND WHETHER IMPLEMENTATION OF THE SAME WOULD BEST BE EXECUTED BY LEGISLATION OR EXECUTIVE ORDER. VANCE

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